

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHNNY M. HUNT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 3:23-cv-00243
)	
SOUTHERN BAPTIST CONVENTION;)	Judge Campbell
GUIDEPOST SOLUTIONS LLC; and)	Magistrate Judge Frensey
EXECUTIVE COMMITTEE OF THE)	Jury Demand
SOUTHERN BAPTIST CONVENTION,)	
)	
Defendants.)	

**RESPONSE IN OPPOSITION TO GUIDEPOST SOLUTIONS LLC’S
CROSS-MOTION TO COMPEL DISCOVERY**

Pursuant to Rule 7.01 of the Local Rules of Court, Plaintiff Johnny M. Hunt, by and through the undersigned counsel, hereby respectfully submits his Response in Opposition to the Cross-Motion to Compel Discovery filed by Defendant Guidepost Solutions LLC (Doc. No. 125).

As explained more fully in the accompanying Memorandum in Support of Plaintiff’s Response in Opposition to Guidepost Solutions LLC’s Cross-Motion to Compel Discovery, the Court should deny the Cross-Motion to Compel in its entirety. There is no reasonable, objective basis for Guidepost’s suggestion that Plaintiff may have destroyed relevant emails or text messages after the issuance of the Report. Plaintiff did not have any substantive written communications with anyone about the 2010 Florida encounter with the accuser. Plaintiff does not have access to any email account that he used prior to the issuance of the Report in 2022 and Plaintiff has already used an e-discovery vendor to collect and search his emails from his current

email address. Any responsive emails have been produced. Guidepost can ask Plaintiff about his communications and record-keeping habits in his deposition.

Moreover, Plaintiff is not withholding any documents identified in his initial disclosures. Plaintiff has produced the requested metadata, he has also produced an unredacted copy of HUNT_0002759, and for the reasons outlined in the accompanying Memorandum, there is no reason for a document-by-document log of Plaintiff's communications with his trial counsel. Plaintiff is also not withholding any restoration-related documents, and this issue is moot.

Additionally, Plaintiff and his wife decided to make their Florida house their permanent residence in late 2022 and early 2023, prior to the filing of the lawsuit. Consistent with that decision, they obtained Florida drivers' licenses; they registered to vote in Florida; they joined a church in Florida; and they filed a sworn Declaration of Domicile in the State of Florida. Guidepost's request to scour Plaintiff's and his wife's personal credit card statements for evidence that Plaintiff somehow "manufactured diversity jurisdiction" is an attempt to harass Plaintiff – it is not intended to assess his domicile. The request should be denied.

Finally, the Court should reject Guidepost's request for expenses and fees incurred in making their Cross-Motion. As stated above, and in more detail in the accompanying Memorandum, Plaintiff's conduct was substantially justified and an award of expenses under the circumstances would be unjust. Fed. R. Civ. P. 37(a)(5)(A)(ii), (iii).

For the foregoing reasons, as well as the reasons set forth in the accompanying Memorandum, this Court should deny the Cross-Motion to Compel Discovery in its entirety.

[SIGNATURE BLOCK AND CERTIFICATE OF SERVICE TO FOLLOW]

Dated: February 28, 2024

Respectfully submitted,

s/ Andrew Goldstein

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing Response in Opposition to Guidepost Solutions LLC's Cross-Motion to Compel Discovery to be electronically filed with the Clerk of the Court on February 28, 2024, using the CM/ECF system, which will automatically serve all counsel of record listed below:

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